

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of:	Mark L. Witten	Confirmation No.:	2163
Serial No.:	10/553,232	Art Unit:	1654
Filed:	October 3, 2006	Examiner:	Lukton, David
For:	ACUTE RESPIRATORY SYNDROME	Attorney Docket No.:	12241-021-999

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The enclosed is in response to the Restriction Requirement mailed September 10, 2008, in connection with the above identified patent application.

In response to the Requirement for Restriction, Applicants hereby elect without traverse to pursue the claims related to:

- a) the peptide [Sar<sup>9</sup>MetO<sub>2</sub><sup>11</sup>]-substance P;
- b) route of administration that is aerosol administration; and
- c) the disease feature to be mitigated that is pulmonary alveolar macrophage number.

Applicants believe claims 1-4, 6, 10, 12, and 13 read on the elected species.

No fee is believed due in connection with this response. However, should the Commissioner determine otherwise, he is hereby authorized to charge any required fee(s) to Jones Day Deposit Account No. 50-3013 (reference no.: 876946-999021).

Respectfully submitted,

Date: October 10, 2008



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